

**A. AMENDMENTS TO CLAIMS**

Please amend the claims as indicated hereinafter.

1 1. (CURRENTLY AMENDED) A method for determining an amount to be billed to a  
2 customer for the use of resources, the method comprising the computer-implemented  
3 steps of:  
4 determining usage data that indicates usage, during a specified period of time, of a set  
5 of one or more resources that ~~may be dynamically~~ is capable of being selected  
6 and de-selected from a plurality of resources; and  
7 in a computer system determining the amount to be billed to the customer based upon  
8 the usage data and value data that indicates value provided by each resource  
9 from the set of one or more resources.

1 2. (ORIGINAL) The method as recited in Claim 1, wherein:  
2 the usage data indicates usage, during the specified period of time, of each resource from  
3 the set of one or more resources, and  
4 the step of determining the amount to be billed to the customer based upon the usage  
5 data and value data includes determining the amount to be billed to the customer  
6 based upon the usage of each resource from the set of one or more resources  
7 during the specified period of time and the value data.

1 3. (ORIGINAL) The method as recited in Claim 1, wherein:  
2 the usage data specifies, for each resource from the set of one or more resources, an

3 amount of time that each resource was used during the specified period of time,  
4 the value data specifies, for each resource from the set of one or more resources, a  
5 number of service units per unit time, and  
6 the step of determining the amount to be billed to the customer based upon the usage  
7 data and value data includes determining the amount to be billed to the customer  
8 based upon the specified number of services units per unit time for each resource  
9 and the amount of time that each resource was used during the specified period  
10 of time.

1 4. (ORIGINAL) The method as recited in Claim 3, wherein the step of determining the  
2 amount to be billed to the customer based upon the specified number of services units  
3 per unit time for each resource and the amount of time that each resource was used  
4 during the specified period of time includes determining the amount to be billed to the  
5 customer based upon the specified number of service units per unit time for each  
6 resource, the amount of time that each resource was used during the specified period of  
7 time and an amount to be charged per service unit.

1 5. (ORIGINAL) The method as recited in Claim 1, wherein the step of determining the  
2 amount to be billed to the customer based upon the usage data and value data includes  
3 determining the amount to be billed to the customer based upon the usage data, the value  
4 data and a reservation fee for reserving the set of one or more resources.

1 6. (ORIGINAL) The method as recited in Claim 5, wherein the reservation fee includes a

2 fee for reserving other resources from the plurality of resources that were not used by the  
3 customer.

1 7. (ORIGINAL) The method as recited in Claim 1, wherein:  
2 the method further comprises determining additional usage data that indicates usage, by  
3 the customer during the specified period of time, of one or more additional  
4 resources from the plurality of resources, and  
5 the step of determining the amount to be billed to the customer based upon the usage  
6 data and value data includes determining the amount to be billed to the customer  
7 based upon the usage data, the value data, the additional usage data and  
8 additional value data that indicates value provided by each resource from the one  
9 or more additional resources.

1 8. (CURRENTLY AMENDED) The method as recited in Claim 1, wherein the set of one  
2 or more resources comprise ~~a baseline~~ an initial resource configuration.

1 9. (ORIGINAL) The method as recited in Claim 1, wherein the set of one or more  
2 resources comprise a virtual server farm.

1 10. (ORIGINAL) The method as recited in Claim 1, wherein the plurality of resources  
2 includes one or more computing resources.

1 11. (ORIGINAL) The method as recited in Claim 10, wherein one or more computing

2 resources includes one or more processors.

1 12. (ORIGINAL) The method as recited in Claim 1, wherein the plurality of resources  
2 includes one or more storage resources.

1 13. (ORIGINAL) The method as recited in Claim 12, wherein the one or more storage  
2 resources include one or more volatile storage devices.

1 14. (ORIGINAL) The method as recited in Claim 13, wherein the one or more storage  
2 resources include one or more non-volatile storage resources.

1 15. (ORIGINAL) The method as recited in Claim 14, where in the one or more non-  
2 volatile storage resources include one or more disks.

1 16. (ORIGINAL) The method as recited in Claim 1, wherein the plurality of resources  
2 includes one or more computer software resources.

1 17. (ORIGINAL) The method as recited in Claim 1, wherein the plurality of resources  
2 includes one or more communications link resources.

1 18. (ORIGINAL) The method as recited in Claim 17, wherein the one or more  
2 communications link resources includes one or more Internet connections.

1 19. (CURRENTLY AMENDED) A computer-readable medium carrying one or more  
2 sequences of one or more instructions for determining an amount to bill a customer  
3 for the use of resources, the one or more sequences of one or more instructions  
4 including instructions which, when executed by one or more ~~processors~~, processors in  
5 a computer system, cause the one or more processors to perform the steps of:  
6 determining usage data that indicates usage, during a specified period of time, of a set  
7 of one or more resources that ~~may be dynamically~~ is capable of being selected  
8 and de-selected from a plurality of resources; and  
9 determining the amount to be billed to the customer based upon the usage data and  
10 value data that indicates value provided by each resource from the set of one  
11 or more resources.

1 20. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein:  
2 the usage data indicates usage, during the specified period of time, of each resource from  
3 the set of one or more resources, and  
4 the step of determining the amount to be billed to the customer based upon the usage  
5 data and value data includes determining the amount to be billed to the customer  
6 based upon the usage of each resource from the set of one or more resources  
7 during the specified period of time and the value data.

1 21. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein:  
2 the usage data specifies, for each resource from the set of one or more resources, an  
3 amount of time that each resource was used during the specified period of time,

4 the value data specifies, for each resource from the set of one or more resources, a  
5 number of service units per unit time, and  
6 the step of determining the amount to be billed to the customer based upon the usage  
7 data and value data includes determining the amount to be billed to the customer  
8 based upon the specified number of services units per unit time for each resource  
9 and the amount of time that each resource was used during the specified period  
10 of time.

1 22. (ORIGINAL) The computer-readable medium as recited in Claim 21, wherein the step  
2 of determining the amount to be billed to the customer based upon the specified number  
3 of services units per unit time for each resource and the amount of time that each  
4 resource was used during the specified period of time includes determining the amount  
5 to be billed to the customer based upon the specified number of service units per unit  
6 time for each resource, the amount of time that each resource was used during the  
7 specified period of time and an amount to be charged per service unit.

1 23. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the step  
2 of determining the amount to be billed to the customer based upon the usage data and  
3 value data includes determining the amount to be billed to the customer based upon the  
4 usage data, the value data and a reservation fee for reserving the set of one or more  
5 resources.

1 24. (ORIGINAL) The computer-readable medium as recited in Claim 23, wherein the

reservation fee includes a fee for reserving other resources from the plurality of resources that were not used by the customer.

25. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein:

the computer-readable medium includes one or more additional instructions which,

when executed by the one or more processors, cause the one or more processors

to perform the step of determining additional usage data that indicates usage, by

the customer during the specified period of time, of one or more additional

resources from the plurality of resources, and

the step of determining the amount to be billed to the customer based upon the usage

data and value data includes determining the amount to be billed to the customer

based upon the usage data, the value data, the additional usage data and

additional value data that indicates value provided by each resource from the one

or more additional resources.

26. (CURRENTLY AMENDED) The computer-readable medium as recited in Claim 19,

wherein the set of one or more resources comprise ~~a baseline~~ an initial resource

configuration.

27. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the set

of one or more resources comprise a virtual server farm.

28. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the

2 plurality of resources includes one or more computing resources.

1 29. (ORIGINAL) The computer-readable medium as recited in Claim 28, wherein one or  
2 more computing resources includes one or more processors.

1 30. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the  
2 plurality of resources includes one or more storage resources.

1 31. (ORIGINAL) The computer-readable medium as recited in Claim 30, wherein the one  
2 or more storage resources include one or more volatile storage devices.

1 32. (ORIGINAL) The computer-readable medium as recited in Claim 31, wherein the one  
2 or more storage resources include one or more non-volatile storage resources.

1 33. (ORIGINAL) The computer-readable medium as recited in Claim 32, where in the one  
2 or more non-volatile storage resources include one or more disks.

1 34. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the  
2 plurality of resources includes one or more computer software resources.

1 35. (ORIGINAL) The computer-readable medium as recited in Claim 19, wherein the  
2 plurality of resources includes one or more communications link resources.



1 36. (ORIGINAL) The computer-readable medium as recited in Claim 35, wherein the one  
2 or more communications link resources includes one or more Internet connections.

1 37. (CURRENTLY AMENDED) A method for determining an amount to be billed to  
2 a customer for the use of resources, the method comprising ~~the computer-~~  
3 ~~implemented step of~~ in a computer system determining the amount to be billed to the  
4 customer based upon usage data and value data, wherein the usage data indicates  
5 usage, during a specified period of time, of a set of one or more resources that ~~may be~~  
6 ~~dynamically~~ is capable of being selected and de-selected from a plurality of resources  
7 and the value data indicates value provided by each resource from the set of one or  
8 more resources.

1 38. (CURRENTLY AMENDED) A computer-readable medium carrying one or more  
2 sequences of one or more instructions for determining an amount to bill a customer  
3 for the use of resources, the one or more sequences of one or more instructions  
4 including instructions which, when executed by one or more ~~processors~~, processors in  
5 a computer system, cause the one or more processors to perform the step of  
6 determining the amount to be billed to the customer based upon usage data and value  
7 data, wherein the usage data indicates usage, during a specified period of time, of a  
8 set of one or more resources that ~~may be dynamically~~ is capable of being selected and  
9 de-selected from a plurality of resources and the value data indicates value provided  
10 by each resource from the set of one or more resources.

1 39. (CURRENTLY AMENDED) A billing apparatus for determining an amount to bill  
2 a customer comprising:  
3 a memory configured to store usage data and value data, wherein the usage data  
4 indicates usage, during a specified period of time, of a set of one or more  
5 resources that ~~may be dynamically~~ is capable of being selected and de-  
6 selected from a plurality of resources and the value data indicates value  
7 provided by each resource from the set of one or more resources; and  
8 a billing mechanism communicatively coupled to the memory and configured to  
9 determine the amount to bill to the customer based upon both the usage data  
10 and the value data.

1 40. (CURRENTLY AMENDED) A billing apparatus configured to determine an  
2 amount to be billed to a customer based upon usage data and value data, wherein the  
3 usage data indicates usage, during a specified period of time, of a set of one or more  
4 resources that ~~may be dynamically~~ is capable of being selected and de-selected from a  
5 plurality of resources and the value data indicates value provided by each resource  
6 from the set of one or more resources.

1 41. (ORIGINAL) The billing apparatus recited in Claim 28, further comprising a  
2 memory configured to store the usage data and the value data.